

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA**§ 45.1-361.26****VIRGINIA:****BEFORE THE GAS AND OIL BOARD****APPLICANTS:**

CNX Gas Company on behalf of Swords Creek
Land Partnership and Ella Ruth Cook, Rev. Ralph
D. Reedy, Beulah Brown, Roger Brown, Danny
Brown, Angela Bain, Sandra Miller Hess

DOCKET NO.**03-0513-1149-02****RELIEF SOUGHT:**

Issuance: A Supplemental Order for Disbursement of Escrowed Funds

Action: Amending Prior Orders Affecting Drilling Unit AY-119, Tract 2 (a portion thereof) (Referenced herein as "the Subject Drilling Unit")

Location: Russell County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit AY-119 by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's Escrow Subaccount for VGOB Tract(s) identified in Table 1.

REPORT OF THE BOARD**FINDINGS AND ORDER**

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on November 15, 2011 at the Russell County Government Conference Center, Lebanon, Virginia.
2. **Appearances:** Mark A. Swartz of Swartz Law Offices appeared for the Applicant; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it does not have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it does not have jurisdiction to interpret agreements by and between

the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, the Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein or a decision from a court appointed Arbitrator.

4. Prior Proceedings:

4.1

- (a) On April 19, 2005 the Board executed its order pooling interests in the Subject Drilling which was filed Circuit Court of Russell County on July 25, 2005, in Deed Book 635, Page 0566.
- (b) The Supplemental Order was executed and recorded in with the Clerk of the Court, Russell County on January 28, 2008, in Deed Book 684, Page 746.
- (c) On March 24 the Board executed its disbursement order (-01) which was filed with the Clerk of the Circuit Court of Russell County on March 30, 2011.

4.2

To the extent claims to the Gas were in conflict, pursuant to Va. Code § 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, Swords Creek Land Partnership and Ella Ruth Cook, Rev. Ralph D. Reedy, Beulah Brown, Roger Brown, Danny Brown, Angela Bain, Sandra Miller Hess in the Subject Drilling Unit have entered into royalty split agreements in a portion of Tract 2..

4.3

The Unit Operator's Miscellaneous Petition regarding a portion of Tract 2, a copy of which is attached to and made a part hereof, states under oath that Swords Creek Land Partnership and Ella Ruth Cook, Rev. Ralph D. Reedy, Beulah Brown, Roger Brown, Danny Brown, Angela Bain, Sandra Miller Hess as conflicting parties have entered into royalty split agreement(s) and should be disbursed in a portion of Tract 2, and escrow regarding this individual claim detailed herein, is no longer required and monthly royalty payments are to be made direct to the parties.

- 4.2 The Unit Operator gave notice to all parties that at its August 16, 2011 hearing the Board would consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to a portion of Tract 2, as identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 2, the interests of Applicant identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because parties other than those seeking disbursement under this order are subject to continued payments in the escrow.

- 4.3 The Unit Operator filed the attached accounting (Exhibit A) for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5 Findings:

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

(1) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

VGOB Approved Disbursement
VGOB-03-0513-1149-02
AY-119

Acreage Fraction	Acreage Interest	Split Agreement	Acres	% of Escrowed to be Paid
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Table 1

A portion of Tract 2						
Item	Tract	Disbursement Table				
					8.38600	
		Swords Creek Land Partnership-Coal				
1	2	Swords Creek Land Partnership, P. O. Box 29, Tazewell, VA 24651		0.0158	50.0%	0.00789 0.09403%
		Kyle Brown et al-oil and gas				
2	2	Ella Ruth Cook, P. O. Box 71, Cyclone, WV 24827	1/22	0.0036	50.0%	0.00182 0.02170%
3	2	Rev. Ralph D. Reedy, P. O. Box 330, Davin, WV 25617	1/22	0.0036	50.0%	0.00182 0.02170%
4	2	Beulah Brown, 4723 Lynn Springs Road, Swords Creek, VA 24649	1/33	0.0024	50.0%	0.00121 0.01443%
5	2	Roger Brown, 4719 Lynn Springs Road, Swords Creek, VA 24649	2/99	0.0016	50.0%	0.00081 0.00966%
6	2	Dannv Brown, P. O. Box 65, Swords Creek, VA 24649	2/99	0.0016	50.0%	0.00081 0.00966%
7	2	Angela B. Bain, 550 Chrisman St., Christiansburg, VA 24073	2/9	0.0016	50.0%	0.00081 0.00966%
8	2	Sandra Gale Miller Hess, P. O. Box 308, Rosedale, VA 24280	1/66	0.0012	50.0%	0.00061 0.00721%

6 Relief Granted:

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7 Conclusion:


Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and IT IS SO ORDERED.

8 Appeals:

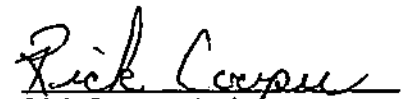
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9 **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 12 day of Jan, 2012, by a majority of the Virginia Gas and Oil Board.

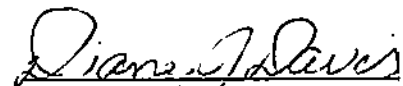

Bradley C. Lambert, Chairman

DONE AND PERFORMED this 12th day of JANUARY, 2012, by an Order of this Board.

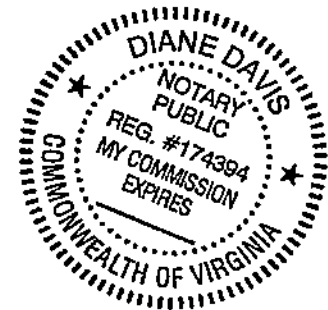

Rick Cooper, Acting
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF RUSSELL

Acknowledged on this 12th day of January, 2012, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public #174394

My commission expires: 09/_30/_2013__



PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 03-0513-1149-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING a portion of TRACT(S) 2
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: August 16, 2011

DRILLING UNIT: AY-119

RUSSELL COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. Petitioner and its counsel: Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, WV 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. Relief sought: (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2 as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Swords Creek Land Partnership and Ella Ruth Cook, Rev. Ralph D. Reedy, Beulah Brown, Roger Brown, Danny Brown, Angela B. Bain, and Sandra Gale Miller Hess

3. Legal Authority: Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. Type of well(s): Coalbed methane.

5. Factual basis for relief requested: Swords Creek Land Partnership and Ella Ruth Cook, Rev. Ralph D. Reedy, Beulah Brown, Roger Brown, Danny Brown, Angela B. Bain, and Sandra Gale Miller Hess have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

6. Attestation: The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: 

Anita D. Duty
Pooling Supervisor
Consol Energy Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701



PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, INC. AND WERE NOT SURVEYED.

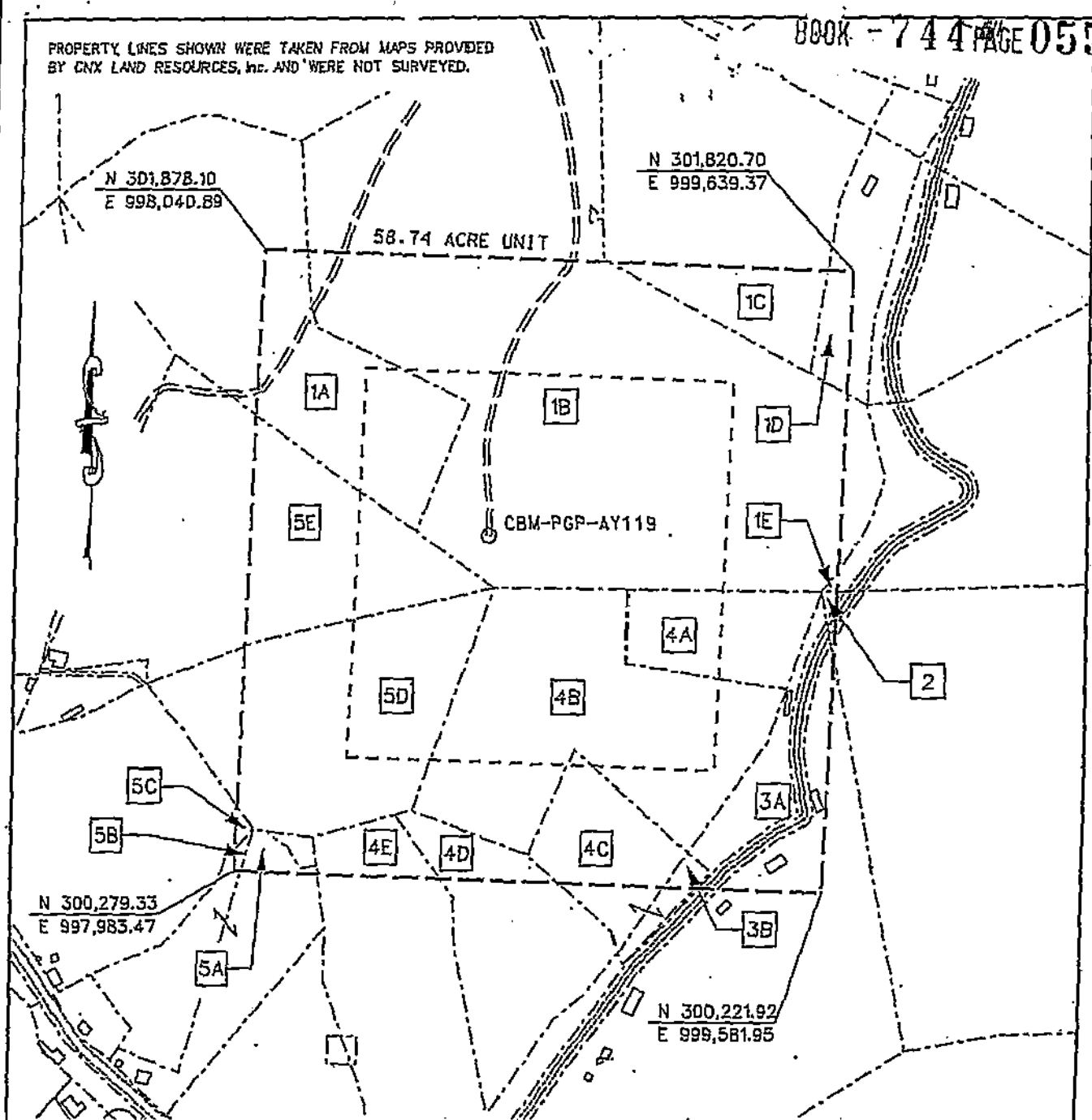
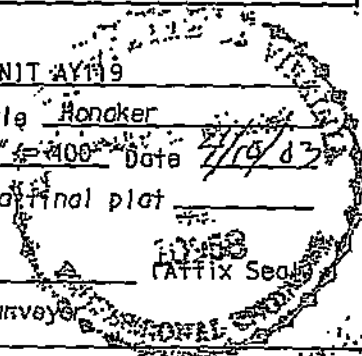


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AY-119
FORCE POOLING
VGOB-03-0513-1149

Company CNX Gas Company LLC Well Name and Number UNIT AY-119
 Tract No. _____ Elevation _____ Quadrangle Honaker
 County Russell District New Garden Scale: 1" = 400' Date 7/19/03
 This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Form DGO-GO-7
 Rev. 9/91
[Signature]
 Licensed Professional Engineer or Licensed Land Surveyor



CNX GAS COMPANY LLC

Unit AY-119

Tract Identifications

(58.74 Acre Unit)

1. Swords Creek Land Partnership Tr. 19 - All Minerals
Reserve Coal Properties Company - Coal In and Below Tiller Seam Leased
Knox Creek Coal Corporation - Coal Above Drainage Leased
Reserve Coal Properties Company - Oil and Gas Leased
CNX Gas Company LLC - CBM Leased
27.66 acres 47.0889%
- 1A. Sylvia Price, et al - Surface
- 1B. Sylvia Price, et al - Surface
- 1C. Jeffrey S. Dye, et ux - Surface
- 1D. Jeffrey S. Dye, et ux - Surface
- 1E. Unknown Surface Owner
2. Swords Creek Land Partnership Tr. 23 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
CNX Gas Company LLC - CBM Leased
Kyle Brown, et al (W.H. Brown Heirs) - Surface and All Minerals except Coal Owner
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.08 acres 0.1362%
- 3A. W. R. McCall, et al - All Minerals
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corp. - Coal In Tiller Seam and Above Leased
Consol Energy, Inc. - CBM Leased (85.14%)
Unknown Surface Owner
3.23 acres 5.4988%
- 3B. W. R. McCall, et al - All Minerals
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corp. - Coal In Tiller Seam and Above Leased
Consol Energy, Inc. - CBM Leased (85.14%)
Gary Simerly, et ux - Surface
0.14 acres 0.2383%
- 4A. Swords Creek Land Partnership Tr. 56 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
CNX Gas Company LLC - CBM Leased
Estil W. Vance, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
2.44 acres 4.1539%

CNX GAS COMPANY LLC

Unit AY-119

Tract Identifications

(58.74 Acre Unit)

- 4B. Swords Creek Land Partnership Tr. 56 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Delcia Dye - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 9.29 acres 15.8155%
- 4C. Swords Creek Land Partnership Tr. 56 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Gary Simerly, et ux - Surface and All Minerals except Coal
 2.00 acres 3.4048%
- 4D. Swords Creek Land Partnership Tr. 56 - Fee
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.91 acres 1.5492%
- 4E. Swords Creek Land Partnership Tr. 56 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Kyle Brown - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.86 acres 1.4641%
- 5A. Swords Creek Land Partnership Tr. 55 - Coal
 Consolidation Coal Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Randy L. Dye, et ux - Surface and All Minerals except Coal
 0.46 acres 0.7831%
- 5B. Swords Creek Land Partnership Tr. 55 - Coal
 Consolidation Coal Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Randy L. Dye, et ux - Surface and All Minerals except Coal
 0.06 acres 0.1021%

CNX GAS COMPANY LLC

Unit AY-119

Tract Identifications

(58.74 Acre Unit)

- 5C. Swords Creek Land Partnership Tr. 55 - Coal
 Consolidation Coal Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Adrain Breedlove - Surface and All Minerals except Coal
 0.06 acres 0.1021%
- 5D. Swords Creek Land Partnership Tr. 55 - Coal
 Consolidation Coal Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Coal In Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Nellie Coms - Surface and All Minerals except Coal
 6.93 acres 11.7978%
- 5E. Swords Creek Land Partnership Tr. 55 - Coal
 Consolidation Coal Company - Coal Below Tiller Seam Leased
 Knox-Creek-Coal-Corporation - Coal In-Tiller Seam and Above Leased
 CNX Gas Company LLC - CBM Leased
 Dorcie Cacy Brown - Oil and Gas
 Sylvia Irene Price - Surface
 4.62 acres 7.8652%

Exhibit E
Unit AY-119
Docket #VGOB 03-0513-1149-02
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

(revised 11/15/2011)
BOOK - 744 PAGE 0563

	Acres in Unit	Interest In Unit
<u>Tract #2, 0.08 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	0.08 acres	0.1362%
<u>OIL & GAS OWNERSHIP</u>		
(1) Kyle Brown, et al. (W.H. Brown Heirs) 25 Acre Tract	0.08 acres	0.1362%
(b) Idinia Perkins 103 North Trimble Road Mansfield, OH 44906	0.0073 acres 1/11 of 0.08 acres	0.0124%
(c) Kyle Brown Heirs, Devisees Successors or Assigns		
(c.1) Frances O. Brown 39 Jamison Drive Swords Creek, VA 24649-7652	0.0073 acres 1/11 of 0.08 acres	0.0124%
(e) Lydia Brown Heirs, Devisees, Successors or Assigns		
(e.1) Kenny Brown 222 Douglas Chapel Road Jonesborough, TN 37659	0.0073 acres 1/11 of 0.08 acres	0.0124%
(f) Maymie Ray Heirs, Devisees, Successors or Assigns		
(f.1) Pauline Duston 303 Howard Street Mount Vernon, OH 43050	0.0018 acres 1/44 of 0.08 acres	0.0031%
(f.2) Fay Ray 13376 Old Mansfield Road Mount Vernon, OH 43050	0.0018 acres 1/44 of 0.08 acres	0.0031%
(f.3) Connie Harding 13376 Old Mansfield Road Mount Vernon, OH 43050	0.0018 acres 1/44 of 0.08 acres	0.0031%
(f.4) Dr. Herbert Jordan 314 South 5th Street Ironton, OH 45638	0.0018 acres 1/44 of 0.08 acres	0.0031%
(g) Coy Brown Heirs, Devisees, Successors or Assigns		
(g.1) Bernice Matney 4526 CR29 Galion, OH 44833	0.0036 acres 1/22 of 0.08 acres	0.0062%
(g.2) Geraldine Smith 110 Baurer Crt., Apt F6 Crestline, OH 44827	0.0036 acres 1/22 of 0.08 acres	0.0062%

Exhibit E
Unit AY-119
Docket #VGOB 03-0513-1149-02
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK - 744 PAGE 0564

	Acres in Unit	Interest in Unit
(j) Mary V. Jones Heirs, Devisees, Successors or Assigns		
(j.1) Mary Ann Bishop 1354 Rustic Ridge Road Riner, VA 24149	0.0024 acres 1/33 of 0.08 acres	0.0041%
(j.2) Connie M. Gillespie Rt.1 Box 462 Lebanon, VA 24266	0.0024 acres 1/33 of 0.08 acres	0.0041%
(j.3) Joyce J. Doss 348 Green Drive Blountville, TN 37617	0.0024 acres 1/33 of 0.08 acres	0.0041%
(l) James Dallas Miller Heirs, Devisees, Successors or Assigns		
(l.1) Mary Miller Rt. 1, Box 640R Swords Creek, VA 24649	0.0012 acres 1/66 of 0.08 acres	0.0021%

Tract #4E, 0.86 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.56 P.O. Box 29 Tazewell, VA 24651	0.86 acres	1.4641%
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OIL & GAS OWNERSHIP

(1) Kyle Brown Heirs, Devisees, Successors or Assigns		
(a.1) Frances O. Brown 39 Jamison Drive Swords Creek, VA 24649-7652	0.86 acres	1.4641%

Tract #5A, 0.46 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.46 acres	0.7831%
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OIL & GAS OWNERSHIP

(1) Randy L. Dye, et ux. RR1 Box 236 Swords Creek, VA 24649	0.46 acres	0.7831%
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Tract #5B, 0.06 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.06 acres	0.1021%
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Exhibit E
Unit AY-119
Docket #VGOB 03-0513-1149-02
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK - 744 PAGE 0565

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) Randy L. Dye, et ux. RR1 Box 236 Swords Creek, VA 24649	0.06 acres	0.1021%
<u>Tract #5D, 6.93 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	6.93 acres	11.7978%
<u>OIL & GAS OWNERSHIP</u>		
(1) Nellie Coms c/o Truel Coms 1138 Belfast Mills Cedar Bluff, VA 24609	6.93 acres	11.7978%

Exhibit EE
Unit AY-119
Docket #VGOB 03-0513-1149-02
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

BOOK - 744 PAGE 0566

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #2, 0.08 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.23 P.O. Box 29 Tazewell, VA 24651	0.08 acres	0.1362%	0.0796%
<u>OIL & GAS OWNERSHIP</u>			
(1) Kyle Brown, et al. (W.H. Brown Heirs) 25 Acre Tract	0.08 acres	0.1362%	
(a) Ada Reedy Heirs Devisees, Successors or Assigns			
(a.1) Ella Ruth Cook P.O. Box 71 Cyclone, WV 24827	0.0024 acres 1/33 of 0.08 acres	0.0041%	0.0145%
(a.3) Rev. Ralph D. Reedy P.O. Box 330 Davin, WV 25617-0330	0.0024 acres 1/33 of 0.08 acres	0.0041%	0.0145%
(d) Truel Brown Heirs, Devisees, Successors or Assigns			
(d.1) Stanley Brown P.O. Box 691 Honaker, VA 24260	0.0073 acres 1/11 of 0.08 acres	0.0124%	n/a
(h) Cleo Brown Heirs, Devisees, Successors or Assigns			
(h.1) Beulah Brown 4723 Lynn Springs Road Swords Creek, VA 24649	0.0024 acres 1/33 of 0.08 acres	0.0041%	0.0145%
(h.2) Roger Brown 4719 Lynn Springs Road Swords Creek, VA 24649	0.0016 acres 2/99 of 0.08 acres	0.0028%	0.0097%
(h.3) Danny Brown P.O. Box 65 Swords Creek, VA 24649	0.0016 acres 2/99 of 0.08 acres	0.0028%	0.0097%
(h.4) Angela B. Bain 550 Chrisman Street Christiansburg, VA 24073	0.0016 acres 2/99 of 0.08 acres	0.0028%	0.0097%
(i) Ruie Brown Heirs, Devisees, Successors or Assigns			
(i.1) Lillian Murray Barr 223 Morris Drive Salisbury, MD 21804	0.0018 acres 1/44 of 0.08 acres	0.0031%	n/a

Exhibit EE
Unit AY-119
Docket #VGOB 03-0513-1149-02
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

BOOK - 744 PAGE 0567

	Acres in Unit	Interest in Unit	Percent of Escrow
(i.2) Charlie W. Brown 3963 Lynn Springs Road Swords Creek, VA 24649-7796	0.0018 acres 1/44 of 0.08 acres	0.0031%	n/a
(i.3) Shirley M. Brown P.O. Box 44 Swords Creek, VA 24649	0.0018 acres 1/44 of 0.08 acres	0.0031%	n/a
(i.4) Wilma J. Keen P.O. Box 13 Swords Creek, VA 24649	0.0018 acres 1/44 of 0.08 acres	0.0031%	n/a
(k) Della Miller Heirs, Devisees, Successors or Assigns			
(k.1) R.C. Miller 16194 Richardson Avenue Abingdon, VA 24211	0.0012 acres 1/66 of 0.08 acres	0.0021%	n/a
(k.2) Sandra Gale Miller Hess P.O. Box 308 Rosedale, VA 24280	0.0012 acres 1/66 of 0.08 acres	0.0021%	0.0072%
(k.3) Freda Mae Owens 3410 Kents Ridge Rd. Swords Creek, VA 24649	0.0012 acres 1/66 of 0.08 acres	0.0021%	n/a
(k.4) Judy Darlene Cordle P.O. Box 625 Raven, VA 24639	0.0012 acres 1/66 of 0.08 acres	0.0021%	n/a
(k.5) Alverda Ray 309 Hawthorne Street Bluefield, VA 24605	0.0012 acres 1/66 of 0.08 acres	0.0021%	n/a

Tract #4A, 2.44 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.56 P.O. Box 29 Tazewell, VA 24651	2.44 acres	4.1539%	n/a
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OIL & GAS OWNERSHIP

(1) Estil W. Vance, et ux. Rt.2 Box 108 Honaker, VA 24260	2.44 acres	4.1539%	n/a
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Tract #4B, 9.29 acres

COAL OWNERSHIP

(1) Swords Creek Land Partnership, Tr.56 P.O. Box 29 Tazewell, VA 24651	9.29 acres	15.8155%	n/a
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Exhibit EE
Unit AY-119
Docket #VGOB 03-0513-1149-02
List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

BOOK - 744 PAGE 0568

	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Delcie Dye - deceased Truel Brown Road Swords Creek, VA 24649	9.29 acres	15.8155%	n/a
<u>Tract #4C, 2.00 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.56 P.O. Box 29 Tazewell, VA 24651	2.00 acres	3.4048%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Gary Simerly, et ux. 1121 Broad St. Bristol, TN 3762-2115	2.00 acres	3.4048%	n/a
<u>Tract #5C, 0.06 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	0.06 acres	0.1021%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Sallie Irene Breedlove (Widow of Adrian Breedlove) P.O. Box 136 Swords Creek, VA 24649	0.06 acres	0.1021%	n/a
<u>Tract #5E, 4.62 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.55 P.O. Box 29 Tazewell, VA 24651	4.62 acres	7.8652%	n/a
<u>OIL & GAS OWNERSHIP</u>			
(1) Dorcie Cacy Osborne P.O. Box 296 Cedar Bluff, VA 24609	4.62 acres	7.8652%	n/a

Exhibit A-1
Tract-by-Tract Escrow Calculation
Account Balances as of 6/30/11

(revised 11/15/2011)
BOOK - 744 PAGE 0569

Unit AY119
 VGOB 03-0513-1149-02
 Acres Escrowed: 8.370610

Owners	Tract #	Acres	Owner Acres	Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$9,497.99
Swords Creek Land Partnership - Coal	2	0.06061			0.0941%	\$8.94
Kyle Brown, et al - Oil & Gas		0.08				
Ella Ruth Cook			0.00364	1/22	0.0217%	\$2.06
Rev. Ralph D. Reedy			0.00364	1/22	0.0217%	\$2.06
Beulah Brown			0.00242	1/33	0.0145%	\$1.38
Roger Brown			0.00162	2/99	0.0097%	\$0.92
Danny Brown			0.00162	2/99	0.0097%	\$0.92
Angela B. Bain			0.00162	2/99	0.0097%	\$0.92
Sandra Gale Miller Hess			0.00121	1/66	0.0072%	\$0.69

Wells contributing to the escrow account:

AY119

1200313

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 2-13 2012. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 2:03 o'clock P M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

TESTE: ANN S. McREYNOLDS, CLERK

Original returned this date to: VA Gas F Oil

BY: Sheila Kirtson D. CLERK